



News

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FOR IMMEDIATE RELEASE

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Bureau of Land Management issues Recordable Disclaimer of Interest for Fish Lake

ANCHORAGE – Bureau of Land Management (BLM)-Alaska Acting State Director Julia Dougan signed a disclaimer of interest today, Sept. 7, 2006, stating the federal government has no valid interest to the lands underlying Fish Lake, located in the Tanana River region.

The BLM analyzed the evidence submitted by the State and prepared a summary report on the relevant facts for public review. The final report accepted previous BLM navigability determinations, acknowledging that the federal government does not hold an interest in those lands.

At the time of statehood, title to unreserved lands underlying navigable waters vested with the State of Alaska under the Equal Footing Doctrine and the Submerged Lands Act of 1953. Navigable waters are inland waters used, or were susceptible for use, at the time of statehood for travel, trade, and commerce. The Submerged Lands Act of 1988 made the BLM's previous navigability determinations final for the Department of the Interior. The 1988 Act also confirmed ownership of the submerged lands of non-navigable waters to the State of Alaska, Native Corporations, or Native Allottees.

In 1976, Congress gave the Interior Department discretionary authority under Section 315 of the Federal Land Policy and Management Act to issue recordable disclaimers of interest. Disclaimers of interest may be used to remove a cloud, or a perceived cloud, on a title when a determination has been made that such lands are not lands of the United States and the United States does not hold a valid interest in those lands. A recordable disclaimer of interest is a document that affirms the United States does not claim an interest in specific lands – it is prepared in such a way that will meet local requirements so that it may be “recorded” – hence the “recordable disclaimer of interest.”

For more information, please contact Carolyn Spoon, Chief, Branch of Lands & Realty, at (907) 271-4207.

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